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SUNDAY MONITOR

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VA whistleblower focuses on veterans

Outspoken doctor continues battle for improved patient care, hospital conditions



RAY DUCKLER
Monitor columnist

The public relations woman at the Manchester VA Medical Center seemed eager to help.

She smiled and extended her hand. She said she wanted to work with the press, get the truth out. She said she wanted to do what's best for the veterans.

"We want to be transparent and let you engage," said

Kristin Pressly, the VA's public affairs officer. "The media is our partner in informing our veterans."

That, I thought, meant a clear path to Dr. William 'Ed' Kois, a whistleblower from Newburyport, Mass., who exposed substandard procedures at the Manchester VA.

Then it got weird. Pressly insisted on walking down-

stairs to Kois's office. She said she had to be there during the interview, suggesting she sought to monitor the line of questioning, shape the story, smooth its rough edges.

Suddenly, there was Kois, a round, balding man with mut-tonchops to rival a Civil War general. He was not happy to

SEE KOIS A2



Dr. William Kois is seen at the Manchester Veterans Affairs Medical Center.
GEOFF FORESTER
Monitor staff

NEW HAMPSHIRE BREWERS FESTIVAL



ELIZABETH FRANTZ / Monitor staff

A group makes a toast before drinking a sample of craft beer at the New Hampshire Brewers Festival in Concord on Saturday.

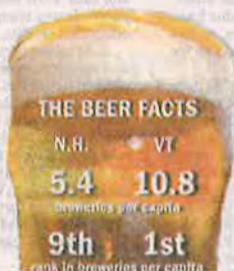
BEER LOVERS REJOICE

Heart of the hops:
Fest shows art of craft

By CAITLIN ANDREWS
Monitor staff

An earthy, hoppy liquid was flowing beside the Merrimack River on Saturday afternoon.

But although this liquid was mostly brown-colored, it was totally drinkable. In fact, hundreds of people dropped \$40 - or



Battle of the brews:
N.H. gains on Vermont

By DAVID BROOKS
Monitor staff

As New Hampshire celebrated its fast-growing beer industry at the fourth annual Brewers Festival on Saturday, it's faced with the realization that we're still in the shadow of our neighbors to the west.

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CONCORD

Scope of St. Paul's probe rare in N.H.

Legal experts forecast prosecutors' objectives in investigation, draw similarities to Catholic Diocese of Manchester case in early 2000s

By ALYSSA DANDREA
Monitor staff

The attorney general's launch of a criminal investigation into St. Paul's School's handling of sexual misconduct allegations over several decades is an uncommon move in New Hampshire that could require the school to make significant cultural changes, legal experts say.

The probe, announced 10 days ago, has put the elite boarding school under a microscope, as investigators work to determine what school officials knew about sexual misconduct by both staff members and students, when they knew about it, and how they responded to it.

While criminal investigations into specific incidents of sexual assault and abuse are commonplace at educational institutions, the attorney general's probe into St. Paul's will chart new territory.

Legal experts said the nature and scope of this probe is unusual, noting that they could draw similarities only to the attorney general's criminal investigation of the Roman Catholic Diocese of Manchester in the early 2000s. But even then, they cautioned, the global reach and influence of the Catholic church created a far different set of circum-

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St. Paul's is not the only boarding school in New Hampshire grappling with cases of sexual abuse and misconduct, but it's risen to the forefront as the only one under investigation by the state's top law enforcement agency.

"It's often hard to find that smoking gun to ignite an investigation, to find evidence that members of the administration had notice or knowledge of something, did nothing and/or tried to cover it up – all somehow lead-

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ELIZABETH FRANTZ / Monitor staff

Beer at the New Hampshire Brewers Festival in Concord on Saturday.

ERS REJOICE

Battle of the brews: N.H. gains on Vermont

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As New Hampshire celebrated its fast-growing beer industry at the fourth annual Brewers Festival on Saturday, it's faced with the realization that we're still in the shadow of our neighbors to the west.

"On a nationwide level, people still think of Vermont as the epicenter of the craft beer earthquake. Before it was 'Ewww, New Hampshire beer' – but now there's really good stuff," said Brian Frampton, general manager of the Salt Hill Pub in West Lebanon.

A few years ago, overlooking brews in the Granite State might have been understandable, but nowadays the number of cans, cases and kegs are hard to miss.

New Hampshire now has more craft



Legal experts forecast prosecutors' objectives in launch of St. Paul's probe

ST. PAUL'S FROM A1

ing to the endangerment of children in their care," said Peter Hutchins, an attorney who has represented more than 300 sexual assault victims in cases involving the church and Bishop Guertin High School in Nashua.

Investigating abuse

In announcing its investigation, the attorney general's office said it will focus on the Concord boarding school's response to reports of sexual abuse and misconduct, and whether St. Paul's endangered the welfare of children or broke a law that prohibits the obstruction of criminal investigations. A task force of local, county and state authorities will look at decades of reports, from the late 1940s to present day.

Albert "Buzz" Scherr, a University of New Hampshire law professor, said a unique series of events gave prosecutors a foothold to launch an investigation into St. Paul's out of concern for students' safety and well-being.

The first was a 2014 case against St. Paul's senior Owen Labrie, who was accused of raping a 15-year-old freshman as part of a sexual conquest ritual known as the "Senior Salute." A jury convicted Labrie of propositioning the girl online for sex, a felony, and of misdemeanor sexual assault charges because she was below the age of consent, but acquitted him of felony rape.

State prosecutors will review that case in light of more recent allegations that students were recording their relationships on a map and, this year, a Buffalo Wild Wings crown. St. Paul's determined students' behavior violated school rules, but not New Hampshire law. The attorney general's office cited the crown as one of several rea-

sons for launching its investigation, and has said that aspect of its inquiry remains open.

Scherr said patterns of sexual misconduct among students may have been enough to trigger the investigation, but prosecutors also have evidence of faculty abuse, spanning 40 years.

This past May, St. Paul's released the results of a year-long inquiry that found 13 former faculty and staff members had engaged in sexual misconduct — from boundary violations to rape — with students between 1948 and 1988. The report concludes that administrators knew about the abuse, yet did nothing to support the victims or to hold the abusers accountable.

"At a certain point, the attorney general, or any worthwhile investigative agency, will ask, 'what is going on at that school?'" Scherr said. "The sequence of events is pretty unusual. That's not to say stuff like this isn't going on at other prep schools, but I've not seen this sequence before — to include both student and faculty abuse."

Marci Hamilton, a highly regarded scholar in constitutional law and an advocate for victims of child abuse and neglect, agreed. Hamilton said the combination of student-driven assaults and faculty abuse of students at St. Paul's is noteworthy.

"It raises the larger question about the culture of the school. The fact that these children were involved in this behavior says a lot about the kind of messaging they were receiving from inside the school; the fact that they felt protected and somehow immune from the laws is telling," said Hamilton, a professor at the University of Pennsylvania.

Hamilton and New Hampshire attorneys said it's likely



ELIZABETH FRANTZ / Monitor file
The Chapel of St. Peter and St. Paul in Concord.

the attorney general's office will convene a grand jury as part of its investigation. That grand jury hearing would occur in secret; however, a public report could be released by prosecutors at a later date.

One such report into a New Hope, Pa., boarding school was released in February. There, a grand jury found that teachers at the Solebury School had sexually preyed on children for half a century while administrators turned a blind eye. The report describes nine teachers or officials who engaged in sexual misconduct with students. No criminal charges resulted from the investigation, mainly because the crimes were alleged to have occurred too long ago.

If prosecutors were to convene a grand jury in New Hampshire, it would allow St. Paul's victims and officials to speak independently in a closed setting, and may begin the process of "peeling back the onion," said attorney Chuck Douglas, who is representing sexual assault survivor Chessy Prout and her family in their lawsuit against the school. (The family filed its lawsuit in the months after Labrie was convicted of sexually assaulting Prout.)

Douglas said he is also representing two other young

women who were assaulted at St. Paul's. He said the girls are watching the attorney general's investigation closely, and that the outcome may influence their decision to come forward and possibly seek compensation.

Drawing parallels

Nearly two decades ago, Douglas represented more than 50 victims of sexual abuse reach settlements with the Catholic church as a result of abuse suffered by local priests. The work by Douglas, attorney Hutchins, and others coincided with the attorney general's probe into the actions of the diocese in Manchester.

That probe resulted in the state going after the church as an entity, citing a breach of fiduciary duty. While prosecutors had incriminating testimony from priests themselves, those admissions surfaced only because a deal of immunity was agreed upon. The statute of limitations had long since expired, making it impossible for prosecutors to bring criminal charges against individual priests.

The investigation into the church began as a criminal one but ultimately ended in a civil settlement. As part of that settlement, the church agreed to an annual audit, allowing

the state to monitor the diocese's response to allegations of sexual abuse against minors for five years. A compensation fund was also established for the victims.

Attorneys who spoke to the Monitor last week said they expect the attorney general's office is looking at St. Paul's as an institution, although noted criminal charges against individual school officials is not out of the question. They said the end result could be a settlement similar to the one reached with the Catholic church, requiring school officials to take steps to change its internal procedures and policies — and its culture.

Attorneys Hutchins, Douglas and Scherr said there are many parallels between cases of child sexual abuse at the church and at New Hampshire's boarding schools, where parents leave their children with adults who are in inherent positions of trust. Legal experts said secrecy tends to breed in these insular settings, where victims are afraid to question someone of a higher social standing.

Churches and boarding schools are examples of closed environments where the hierarchical structure is clearly defined and well-respected, said Scott Hampton, a doctor of psychology and the executive director of Ending the Violence in Dover. Boarding schools also house students who are at a vulnerable age of development, below the age of consent, and more trusting of a peer group that may in turn exploit them, he said.

"The more someone's ability to protect themselves is compromised, the more an institution needs to make a very concerted and deliberate effort to ensure those protections," Hampton said.

But sometimes there is little regard for the afflicted when the success of the insti-

tution is at stake, legal experts said.

"People in power with very powerful, publicly branded image will go a long way just to protect that image," Hamilton said, adding that the more powerful the image the further they will go to protect it.

Long before the abuses by priests were uncovered, religious leaders had taken actions aimed at protecting the reputation of the Catholic church as a respected institution, and Phil McLaughlin, who as attorney general oversaw the probe into the Manchester diocese. He said the church did what it thought was right to prevent a scandal, until the facts were far too great to ignore.

McLaughlin said he was reluctant to jump to any conclusions about how the current attorney general would proceed with the investigation into St. Paul's, and whether the evidence would reveal a broader cover up.

"If I were involved in such an investigation, I'd be reluctant to tar a small school with the same sort of behavior as an institutional worldwide church," he said. "I'm sure the events at St. Paul's will be rigorously examined."

St. Paul's Rector Michael Hirschfeld said the school has trained teachers on appropriate boundaries and educated students to report any misconduct to adults.

After the launch of the attorney general's investigation, Hirschfeld said St. Paul's had been in "close contact with local law enforcement" and would continue to cooperate fully with the authorities moving forward.

"Our goal is and always will be the health, safety and well-being of our students," he said. "We will work tirelessly to meet that goal and strengthen the public's faith in St. Paul's School."

HEADED TO COLLEGE SOON?